

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3rd October 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1203/07/F - SAWSTON

Change of Use of Farm Building and Annexe to Fork Lift Truck Training Centre at Building D, Dernford Farm for C Sales

Recommendation: Approval

Date for Determination: 13th August 2007

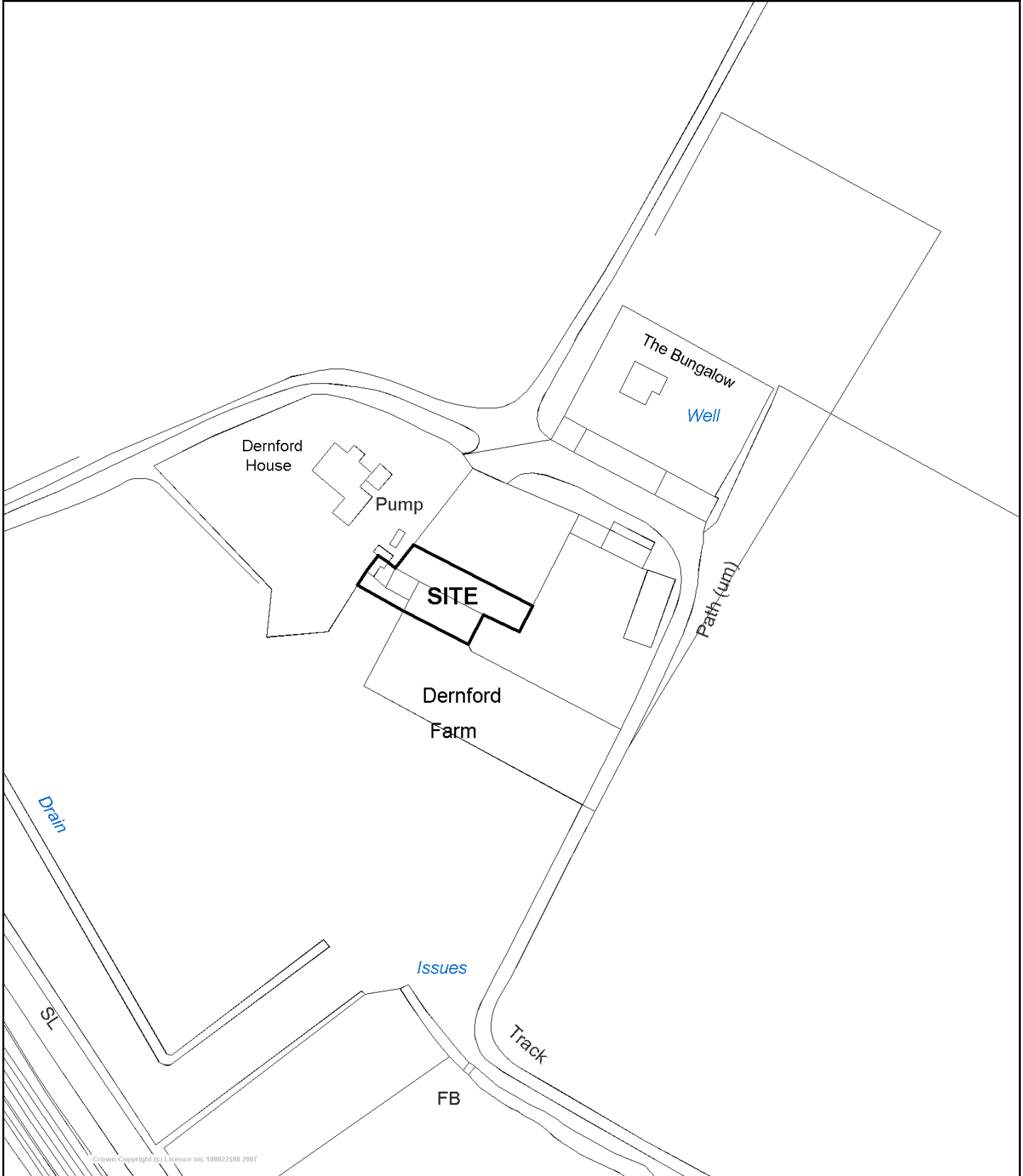
Notes:

This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the recommendation of the Parish Council.

Members of Committee will visit the site on Wednesday 3rd October 2007

Update

1. Members may recall that this application was deferred from last month's Committee in order to await comments from the Local Highways Authority (LHA). If the LHA was recommending approval, the application should be referred back to Committee with a site visit and, if recommending refusal, Officers were granted delegated powers to refuse the application.
2. The Local Highways Authority raises no objections in principle, although does state that the site is difficult to locate for those unfamiliar with its location. As such, should the Planning Authority be minded to approve the proposal, a condition should be imposed requiring the production and distribution to all attendees at courses of joining instructions (to include directions of how to get to the site).
3. The possibility of whether the access constructed to serve the adjacent extraction/reservoir site would be a more appropriate access to the proposed site has also been explored. Consent for the adjacent site was granted by the County Council under application reference S/1669/02/CM. This was subject, in part, to a condition restricting the development to a limited 4 year period from the date of implementation of the consent. A further condition requires the access road that has been constructed to serve the site to be removed and the cycleway/highway verge to be reinstated within 3 months of the cessation of the gravel extraction. This condition was applied for highway safety reasons. Given that this access is only in place for a temporary period, the current application needs to be considered on the basis that the permanent access would be used to serve the proposed training centre.
4. In light of these facts, the LHA has advised that an outright recommendation of refusal could not be warranted for the level and type of traffic associated with the proposal. The concerns about the safety of users of the cycleway crossing the access



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Scale 1/1250 Date 18/9/2007

Centre = 546941 E 250714 N

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could be improved by widening the carriageway to allow 2 vehicles to pass (minimum 4.5 metres, 5.0 metres preferred) and installing a speed reducing feature on the approach to the junction from the farm.

5. The applicant's agent is presently exploring the possibility of widening the roadway to 5 metres for 10 metres back from the highway, and the outcome will be reported to Members verbally at the meeting.
6. The applicant's agent will also be submitting amended elevations to reflect the works carried out to the building, and a revised layout plan showing the gates that have been installed at the entrance.
7. In light of the fact that the Local Highway Authority considers it would be difficult to substantiate a refusal of the application (even if it is not possible to widen the carriageway), the recommendation remains one of approval subject to an additional condition requiring the production and distribution of joining instructions. If the applicants are able to widen the access to 5 metres, this should also be conditioned as part of any consent.

Recommendation

8. Subject to the receipt of amended elevations and a revised layout plan, and to no objections being raised by the Environmental Health Officer in respect of the impact upon the amenities of occupiers of Dernford House, approval:

Conditions

1. Standard Condition A – Time limited permission (Reason A);
2. The use, hereby permitted, shall not commence until details of the rooflights have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason – To ensure the rooflights would not detract from the rural character of the building)
3. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning General (Permitted) Development Order 1995 (or any order revoking and re-enacting that order), the premises shall be used as a fork lift truck training centre only and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order).
(Reason – In order to minimise traffic generation, to protect the amenities of occupiers of the adjacent dwelling and to maintain the rural character of the area)
4. The number of employees working on the application site at any one time shall not exceed 3 and the number of operatives trained on the site at any one time shall not exceed 4.
(Reason – To ensure that the scale of the use does not generate a volume of traffic movements or activity that would result in highway safety problems or cause disturbance to residents of the adjoining dwelling)

5. The use, hereby permitted, shall not be carried out on the premises before 8am on weekdays nor after 6pm on weekdays (nor at any time on Saturdays, Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents)
6. Sc60 – Details of boundary treatment (Rc60);
7. Other than the rooflights shown within drawing number 07/1190:003, no windows, doors or openings of any kind shall be inserted in the building, hereby permitted, including in the roofspace, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Reason – To ensure that openings that would not otherwise require permission are not added to the building with consequent harm to its appearance and impact upon the countryside and Green Belt)
8. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. (Reason – To prevent the increased risk of pollution to the water environment)
9. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. (Reason – To ensure a satisfactory method of surface water drainage)
10. The use, hereby permitted, shall not commence until joining instructions (to include directions to the site) have been submitted to and approved in writing by the Local Planning Authority; these joining instructions to be produced and distributed to all attendees at courses at the site. (Reason – In the interests of highway safety, as the site is difficult to locate for those unfamiliar with its location).

+ if appropriate (ie – if within the applicant's control and achievable), a condition requiring the access to be widened to 5 metres for 10 metres back from the highway, and requiring a speed reducing feature on the approach to the junction from the farm.

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/2** (Environmental Restrictions on Development), **P1/3** (Sustainable Design in Built Development), **P9/2a** (Green Belts) and **P2/6** (Rural Economy)

- **Local Development Framework 2007: GB/1** (Development in the Green Belt), **DP/3** (Development Criteria) and **ET/7** (Conversion of Rural Buildings for Employment)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Residential Amenity
 - Highway Safety

General

1. The development must not encroach onto the footpath, any encroachment would constitute an obstruction, which is an offence under s.137 of the Highways Act 1980. If advice is required on where the boundaries of the right of way are, the Definitive Map Officer at Cambridgeshire County Council should be contacted for assistance;
2. The public footpath must remain open and unobstructed at all times. Building materials must not be stored on it, and contractors' vehicles must not be parked on it;
3. The surface of the footpath must not be altered without the consent of the County Council Countryside Services Team (it is an offence under s1 of the Criminal Damage Act 1971 to damage the surface of a public footpath);
4. The footpath must not be used for vehicular access to the site unless the applicant is sure that they have lawful authority to do so (it is an offence under s34 of the Road Traffic Act to drive on a public footpath);
5. The County Council as Highway Authority is only responsible for maintenance of the surface up to footpath standard, for the purpose of legitimate use by members of the public in relation to that status; damage to the surface caused by non-public footpath use is repairable by those private users.

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework 2007
- Planning application references S/0771/04/F, S/1967/06/F, S/0012/07/F and S/1203/07/F.

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